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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/730,192 | 12/04/2003 | Curt L. Cotner | SVL920030122US1/2991P | 2148 |

7590 04/06/2010
SAWYER LAW GROUP LLP
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| EXAMINER |
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MORRISON, JAY A

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| ART UNIT | PAPER NUMBER |
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2168

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04/06/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/730,192 | Applicant(s) COTNER ET AL. | |
| | Examiner JAY A. MORRISON | Art Unit 2168 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-11 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/15/10 has been entered.

Remarks

2. Claims 1, 3-6, 8-11, and 13-18 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1, 3-6, 8-11, and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Bird et al. ('Bird' hereinafter) (Patent Number 6,321,235).

As per claim 1, Bird teaches

A method for providing package resolution in a database system, the method comprising: (see abstract and background)

providing a SET CURRENT PACKAGE PATH statement within a server of the database system, the SET CURRENT PACKAGE PATH statement a CURRENT PACKAGE PATH VALUE associated with a list of package collections so that a list of qualified package collections is supplied during runtime (packages with fully qualified names is inserted into list of packages, column 5, lines 47-55), wherein each identified package collection includes a plurality of packages and each package is usable during execution of one or more other database statements issued by the application; (application VIOLA has two packages it uses, column 4, lines 20-30; figure 3)

responsive to issuance of the database statement by the application, executing the database statement to locate at least one of the plurality of packages included in at least one of the identified package collections; (global cache where one entry for SQL statement, column 4, lines 35-40; figure 3)

and caching the at least one package in a storage of the server, the at least one package being used during execution of the one or more other database statements issued by the application. (global cache, column 4, lines 45-48)

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As per claim 3,

the list of package collections include a combination of literals, host variables, keywords, and null string. (column 5, lines 25-30)

As per claim 4,

each package includes a collection ID and a package ID. (column 5, lines 35-40; figure 4)

As per claim 5,

the database system is a distributed database system. (column 3, lines 25-30)

As per claims 6 and 8-10,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 1 and 3-5, respectively, and are similarly rejected.

As per claims 11 and 13-15,

These claims are rejected on grounds corresponding to the arguments given above for rejected claims 1 and 3-5, respectively, and are similarly rejected.

As per claim 16,

the database statement is a structured query language (SQL) statement. (column 3, lines 57-60)

As per claim 17,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 16 and is similarly rejected.

As per claim 18,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 16 and is similarly rejected.

Response to Arguments

4. Applicant's arguments filed 3/15/10 have been fully considered but they are not persuasive.

5. Applicant argues that Bird does not disclose the CURRENT PACKAGE PATH statement sets a CURRENT PACKAGE PATH VALUE associated with a list of package collections so that a list of qualified package collections is supplied during runtime. Respectfully, it is noted that Bird discloses a fully qualified name of a package is inserted into a list of packages in the static SQL cache of the global cache (column 5, lines 47-55). This list reads on the setting of a package path value associated with a list of package collections that is a list of qualified package collections during runtime since

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Bird's package is inserted into a list of packages and this list is available at runtime via the global cache to process static queries (column 5, lines 12-20). Therefore Bird discloses the limitation.

Conclusion

6. The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jay A Morrison/
Examiner, Art Unit 2168

Jay Morrison
TC2100